

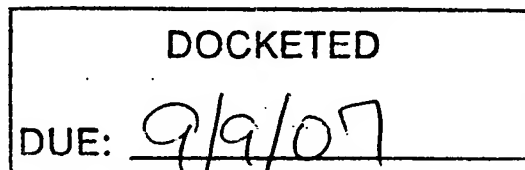


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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/521,244         | 01/14/2005             | Shinjiro Ogita        | KSM-0228               |

Rader Fishman & Grauer  
 1233 20th Street N W  
 Suite 501  
 Washington, DC 20036



CONFIRMATION NO. 7196  
 FORMALITIES  
 LETTER

Date Mailed: 07/09/2007

### NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825 (d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821 (e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

To Download Patentin Software, visit <http://www.uspto.gov/web/patents/software.htm>  
 For questions regarding compliance to these requirements, please contact:

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- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

#### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$-360** for a non-small entity

(A previous payment of **\$360** will be applied to the additional fees indicated above.)

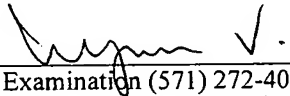
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Alexandria VA 22313-1450

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Office of Initial Patent Examination (571) 272-4000, or 1-800-PTO-9199  
PART 1 - ATTORNEY/APPLICANT COPY



Docket No.: KSM-0228  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Shinjiro Ogita et al.

Application No.: 10/521,244

Confirmation No. 7196

Filed: January 14, 2005

Art Unit: N/A

For: PROCESS FOR PRODUCING A  
DECAFFEINATED COFFEE PLANT BY  
GENETIC RECOMBINATION

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the attached Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed July 9, 2007, Applicants, through their undersigned attorneys, hereby submit in compliance with the requirements under 37 C.F.R. §1.821-§1.825, a computer readable form (CRF), along with a paper copy of the sequence listing and a statement indicating the CRF and paper copy are identical and that no new matter has been added. A copy of the Notice is enclosed as requested.

Dated: September 10, 2007

Respectfully submitted,

By: 

Lee Cheng  
Registration No. 40,949

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IFW/1638

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

|                        |                  |
|------------------------|------------------|
| Application Number     | 10/521,244       |
| Filing Date            | January 14, 2005 |
| First Named Inventor   | Shinjiro OGITA   |
| Art Unit               | N/A              |
| Examiner Name          | Not Yet Assigned |
| Attorney Docket Number | KSM-0228         |

## ENCLOSURES (Check all that apply)

|   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form                             | <input type="checkbox"/> Drawing(s)  | <input type="checkbox"/> After Allowance Communication to TC   |
| <input type="checkbox"/> Fee Attached                                     | <input type="checkbox"/> Licensing-related Papers  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  |
| <input checked="" type="checkbox"/> Preliminary Amendment/Reply           | <input type="checkbox"/> Petition  | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  |
| <input type="checkbox"/> After Final                                      | <input type="checkbox"/> Petition to Convert to a Provisional Application                  | <input type="checkbox"/> Proprietary Information   |
| <input type="checkbox"/> Affidavits/declaration(s)                        | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address    | <input type="checkbox"/> Status Letter   |
| <input type="checkbox"/> Extension of Time Request                        | <input type="checkbox"/> Terminal Disclaimer   | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  |
| <input type="checkbox"/> Express Abandonment Request                      | <input type="checkbox"/> Request for Refund  | Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures (1 page), |
| <input type="checkbox"/> Information Disclosure Statement                 | <input checked="" type="checkbox"/> Computer readable form (CRF), Number of CD(s) <u>1</u> | Copy of Notice (4 pages)   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)           | <input type="checkbox"/> Landscape Table on CD   | Sequence Listing (2 pages)   |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application    |  | Statement to Support Sequence Listing (1 page)   |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 |  | Return Receipt Postcard  |

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|              |                              |          |        |
|--------------|------------------------------|----------|--------|
| Firm Name    | RADER, FISHMAN & GRAUER PLLC |          |        |
| Signature    |                              |          |        |
| Printed name | Lee Cheng                    |          |        |
| Date         | September 10, 2007           | Reg. No. | 40,949 |